

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DANIEL WILLIAM NEWELL,

Plaintiffs,

-against-

CORRECTION OFFICER YAKUBU,

Defendant.

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 6/2/2020

1:19-cv-08912 (MKV) (SLC)

**ORDER ADOPTING
RECOMMENDATION**

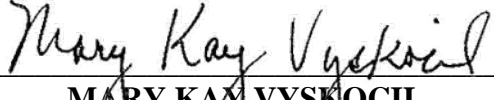
MARY KAY VYSKOCIL, United States District Judge:

Plaintiff filed this action in September 2019. The case was referred to Magistrate Judge Sarah Cave to oversee pretrial discovery and to make a recommendation on any dispositive motions. In December 2019, Defendant requested, and Judge Cave so-ordered, that Plaintiff was required to provide signed medical releases so that Defendant could evaluate Plaintiff's claims. After Plaintiff failed to do send such releases, Judge Cave again ordered him to do so on February 20, 2020. After Plaintiff failed to provide the releases again, on April 1, 2020, Judge Cave issued an order to show cause why Plaintiff's claims should not be dismissed for failure to prosecute. After a month with no response or any other communications from Defendants, Judge Cave recommended that I dismiss the case. I provided Plaintiff another month in which to respond or to take any actions to prosecute this case. To date, he has not done so.

Thus, for the reasons stated in Magistrate Judge Cave's recommendation dated May 8, 2020, this case is DISMISSED without prejudice due to Plaintiff's failure to prosecute. The Clerk is directed to close this case. The Court will mail a copy of this order to Plaintiff.

SO ORDERED.

**Date: July 1, 2020
New York, NY**


**MARY KAY VYSKOCIL
United States District Judge**